

Bruce A. Markell

Honorable Bruce A. Markell
United States Bankruptcy Judge



Entered on Docket
April 26, 2013

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Attorneys for Whitney Bank

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

MARCIA CARRERE,

Debtor.

Case No.: 13-11728-BAM
Chapter 7

**ORDER DETERMINING THAT (I)
CERTAIN REAL PROPERTY IS NOT
PROPERTY OF THE ESTATE AND
(II) THE AUTOMATIC STAY UNDER
11 U.S.C. § 362 IS INAPPLICABLE TO
SUCH REAL PROPERTY**

Hearing Date: April 23, 2013
Hearing Time: 2:30 p.m. Pacific Time
Courtroom: 3

The Court, having considered the *Motion for Judicial Determination that (i) Certain Real Property Is Not Property of the Estate; and (ii) the Automatic Stay Under 11 U.S.C. § 362 Is*

1 *Inapplicable to Such Real Property* (the “**Motion**”) filed by Whitney Bank; having considered
 2 any and all oppositions to the Motion; having conducted a hearing with respect to the Motion on
 3 April 23, 2013 at 2:30 p.m. Pacific time, with Ryan A. Andersen of the law firm Lionel Sawyer
 4 & Collins appearing on behalf of Whitney Bank and with other appearances noted on the record
 5 of such hearing; having found good and sufficient cause for the relief requested in the Motion;
 6 and having stated its findings of fact and conclusions of law on the record at the conclusion of
 7 such hearing, pursuant to Fed. Rule Bankr. P. 7052, made applicable to this contested matter by
 8 Fed. R. Bankr. P. 9014;

9 **NOW THEREFORE**, good cause appearing, the Court **ORDERS** as follows:

10 **IT IS HEREBY ORDERED** that the Motion is granted in its entirety;

11 **IT IS FURTHER ORDERED** that the certain real property located in St. Tammany
 12 Parish, Louisiana, specifically described as Lot 5, Belle Terre Acres Subdivision, St. Tammany
 13 Parish, Louisiana, is not property of the bankruptcy estate in the above-captioned bankruptcy
 14 case; and

15 **IT IS FURTHER ORDERED** that the automatic stay imposed by 11 U.S.C. § 362(a) in
 16 the above-captioned bankruptcy case does not apply and is inapplicable to such above-described
 17 real property.

18 Respectfully submitted by:

19 **LIONEL SAWYER & COLLINS**

20 By: /s/ Ryan A. Andersen
 21 Rodney M. Jean, NBN 1395
 22 Maximiliano D. Couvillier III, NBN 7661
 23 Ryan A. Andersen, NBN 12321
 24 300 South Fourth Street, Suite 1700
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25 *Attorneys for Whitney Bank*

LR 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that:

- ☐ The court has waived the requirement set forth in LR 9021(b)(1).
- ☐ No party appeared at the hearing or filed an objection to the motion.
- ☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below:

Counsel appearing:

Unrepresented parties appearing:

Trustee: Victoria L. Nelson, Chapter 7 Trustee (**Approved**)

- ☐ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 23rd day of April, 2013.

By: /s/ Ryan A. Andersen
Ryan A. Andersen, NBN 12321
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